

Appl. No. 10/247,286

## REMARKS/ARGUMENTS

### Status of Claims

Claims 1-12, 15-27 and 29 remain in the application. Claims 13 and 14 have been cancelled. New claims 30-34 have been added to the application.

### Amendments to Claims

New claims 30-34 are directed to a method in an OFDM transmitter for retransmitting an entire symbol or particular packets of an OFDM symbol in the event of unsuccessful reception by a receiver. Support for the methods of claims 30-34 are found on page 12, line 29 to page 14, line 3.

### 35 U.S.C 103 Claim Rejections

The Examiner has rejected claims 1-12 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,779,146 (Jones) in view of U.S. Patent No. 6,628,641 (Strawczynski) and U.S. Patent Application No. 20010008520 (Tiedemann Jr).

The present application and U.S. Patent No. 6,628,641 (Strawczynski) were, at the time the present invention was made, owned by or subject to an obligation of assignment to Nortel Networks Limited. The inventors of the present invention are full time employees of Nortel Networks Limited, and have a contractual obligation to assign all inventive rights to Nortel Networks Limited.

In addition to the above statement regarding common ownership, Applicant submits the following evidence of common ownership:

i) an enclosed copy of a United States Patent and Trademark Office Notice of Recordation of Assignment together with a copy of an Assignment in connection with the present application in which entire rights to the present application are assigned to Nortel Networks Limited; and

Appl. No. 10/247,286

ii) an enclosed copy of a United States Patent and Trademark Office Notice of Recordation of Assignment together with a copy of an assignment in connection with U.S. Patent No. 6,628,641 in which entire rights to the U.S. Patent were assigned to Nortel Networks Limited.

The present application and U.S. Patent No. 6,628,641 were, at the time the present invention was made, owned by or subject to an obligation of assignment to Nortel Networks Limited. The cited reference only qualifies as prior art under 35 U.S.C. 102(e). Therefore, the criteria set out in 35 U.S.C. 103(c) are satisfied, and the reference should not be used to preclude patentability under 35 U.S.C. 103. The Examiner is respectfully requested to withdraw the 35 U.S.C. 103(a) rejection of claims 1-12.

The Examiner has rejected claims 13 and 14 under 35 U.S.C. 103(a) as being unpatentable over Jones in view of Tiedemann Jr.

Claims 13 and 14 have been cancelled rendering the Examiner's objection moot.

The Examiner has rejected claim 15 under 35 U.S.C. 103(a) as being unpatentable over Jones in view of Strawczynski.

Strawczynski is not citable under 35 U.S.C. 103(a) as detailed above. The Examiner is respectfully requested to withdraw the 35 U.S.C. 103(a) rejection of claim 15.

In responding to the obviousness objection to claims 1-12 and 15 in the above manner, it is to be understood that the Applicant does not concede to the statements made by the Examiner regarding what is allegedly disclosed by any or all of the references cited by the Examiner with respect to what is recited in claims 1-12 and 15. Applicant will respond to particulars of the cited art in future correspondence as necessary.

Appl. No. 10/247,286

In view of the foregoing, early favorable consideration of this application is earnestly solicited.

Respectfully submitted,

David G. Steer

By 

Allan Brett

Reg. No. 40,476

Tel.: (613) 232-2486 ext. 310

Date: September 28, 2005  
Ottawa, Ontario, Canada  
Tel.: (613) 232-2486  
RAB:MSS:mcg



STRAWCZYNSKI  
JW  
UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Assistant Secretary and Commissioner  
of Patents and Trademarks  
Washington, D.C. 20231

MARCH 12, 1998

NORTHERN TELECOM LIMITED  
JEFFREY M. MEASURES  
PATENT DEPARTMENT  
P.O. BOX 3511, STATION C  
OTTAWA, ONTARIO CANADA K1Y 4H7

PTAS



\*100622975A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, NORTH TOWER BUILDING, SUITE 10C35, WASHINGTON, D.C. 20231.

RECORDATION DATE: 12/24/1997

REEL/FRAME: 8919/0108  
NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).



ASSIGNOR:  
STRAWCZYNSKI, LEO

DOC DATE: 12/19/1997

ASSIGNOR:  
GAGE, BILL (W.A.)

DOC DATE: 12/19/1997

ASSIGNEE:  
NORTHERN TELECOM LIMITED  
P.O. BOX 6123, STATION A  
MONTREAL, QUEBEC, CANADA H3C 3J5SERIAL NUMBER: 08997982  
PATENT NUMBER:FILING DATE:  
ISSUE DATE:TARA WASHINGTON, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS*nyj*

FORM PTO-1595 (Rev. 6-93) OMB No. 0661-0011 (exp. 4/94)		02-03-1998  100622975		SHEET Y 12/24/97 U.S. DEPARTMENT OF COMMERCE Patent and Trademark Office	
To the Honorable Commissioner of Patents and Trademarks, U.S. Patent and Trademark Office, P.O. Box 108, Springfield, MA 01103-0108					
1. Name of conveying party(ies): Leo Strawczynski Bill (W.A.) Gage Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			2. Name and address of receiving party(ies): Name: NORTHERN TELECOM LIMITED Address: P.O. Box 6123, Station A, Montreal, Quebec, Canada, H3C 3J5 Additional name(s) & addresses attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____			Execution Date: December 19, 1997		
4. Application number(s) or patent number(s): If this document is being filed together with a new application, the execution date of the application is: December 23, 1997					
A. Patent Application No.(s)			B. Patent No.(s)		
Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
5. Name and address of party to whom correspondence concerning document should be mailed: Name: Jeffrey M. Measures NORTHERN TELECOM LIMITED Patent Department Address: P.O. Box 3511, Station C Ottawa, Ontario Canada K1Y 4H7			6. Total number of applications and patents involved: 1 7. Total fee (37 CFR 3.41)..... \$40.00 <input type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Authorized to be charged to deposit account 8. Deposit account number: 14-1315		
DO NOT USE THIS SPACE					
9. Statement and signature: To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.					
Jeffrey M. Measures - 40,272 Name of Person Signing		 Signature		Dec 19/97 Date	
Total number of pages comprising cover sheet, attachments, and document: 2					

Mail documents to be recorded with required cover sheet information to:  
 Commissioner of Patents & Trademarks, Box Assignments  
 Washington, D.C. 20231

Case: Strawczynski 20-RO3540

## ASSIGNMENT NORTHERN TELECOM LIMITED

For value received, I (we) the undersigned, whose full post office address(es) is (are) adjacent my (our) name(s), hereby sell, assign and transfer to:

### NORTHERN TELECOM LIMITED

whose full post office address is: P.O Box 6123, Station A, Montreal,  
Quebec, Canada H3C 3J5

its successors, assigns and legal representatives, the entire right, title and interest, including priority rights, for all countries, in and to certain inventions relating to:

### IMPROVED HEADER ERROR DETECTION FOR WIRELESS DATA CELLS

set forth in an application for letters patent of the UNITED STATES OF AMERICA

executed concurrently herewith,


and all rights and privileges under any and all letters patent that may be granted for said inventions.

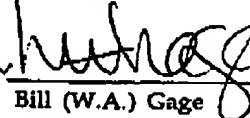
  
Witness Signature

TERESA THOM  
Witness Name (print)

  
Witness Signature

TERESA THOM  
Witness Name (print)

  
Date 97-12-19  
Assignor  
Leo Strawczynski  
479 Highland Avenue  
Ottawa, Ontario  
K2Y 4H7 Canada

  
Date 97-12-19  
Assignor  
Bill (W.A.) Gage  
15 Buttonwood Trail  
Stittsville, Ontario  
K2J 1C9 Canada

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Witness Name (print)

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Witness Name (print)

\_\_\_\_\_  
Date  
Assignor

\_\_\_\_\_  
Date  
Assignor

☐ Additional Assignors on attached Page 2



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

MARCH 13, 2001

PTAS



\*101571929A\*

SMART & BIGGAR  
JAMES MCGRAW  
P.O. BOX 2999, STATION D  
900-55 METCALFE STREET  
OTTAWA, ONTARIO CANADA K1P 5Y6

71493-819

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 12/19/2000

REEL/FRAME: 011383/0761  
NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

STEER, DAVID G.

DOC DATE: 12/13/2000

ASSIGNOR:

PERIYALWAR, SHALINI S.

DOC DATE: 12/13/2000

ASSIGNOR:

TEO, KOON HOO

DOC DATE: 12/13/2000

ASSIGNOR:

CHEONG, YOON CHAE

DOC DATE: 12/08/2000

ASSIGNOR:

HASHM, BASSAM M.

DOC DATE: 12/13/2000

ASSIGNEE:

NORTEL NETWORKS LIMITED  
380 ST. ANTOINE STREET WEST. 8TH  
FLOOR  
WORLD TRADE CENTER OF MONTREAL  
MONTREAL, QUEBEC, CANADA H2Y 3Y4

Docket No.: 71493-879

FORM P-11595 (Modified)  
(Rev. 5-92)  
OMB No. 0651-0011 (exp. 4/94)  
Copyright 1996-97 LegalStar  
POSA/REV02

01-04-2001

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Tab settings → → → ▼ ▼ ▼



To the Honorable Commissioner of Patent,

101571929

Attached original documents or copy thereof.

## 1. Name of conveying party(ies):

DAVID G. STEER,  
SHALINI S. PERIYALWAR,  
KOON HOO TEO,  
YOON CHAE CHEONG and BASSAM M. HASHEM

Additional names(s) of conveying party(ies)

☐ Yes ☒ No

## 3. Nature of conveyance:

☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other \_\_\_\_\_

Execution Date: December 8, &amp; 13, 2000

## 2. Name and address of receiving party(ies):

Name: NORTEL NETWORKS LIMITED

Address: World Trade Center of Montreal

380 St. Antoine Street West, 8th floor

City: Montreal State/Prov.: Quebec

Country: Canada ZIP: H2Y 3Y4

Additional name(s) &amp; address(es)

☐ Yes ☒ No

## 4. Application number(s) or registration numbers(s):

If this document is being filed together with a new application, the execution date of the application is: December 13, 2000

Patent Application No. 12/217,000  
Filing date 09/13/00  
04 FC:581

B. Patent No.(s)

Additional numbers

☐ Yes ☒ No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: James McGraw

Registration No. 28168

Address: SMART &amp; BIGGAR

P.O. Box 2999, Station D

900-55 Metcalfe Street

City: Ottawa State/Prov.: Ontario

Country: Canada ZIP: K1P 5Y6

## 6. Total number of applications and patents involved:

1

## 7. Total fee (37 CFR 3.41):.....\$ 40.00

☒ Enclosed - Any excess or insufficiency should be credited or debited to deposit account☐ Authorized to be charged to deposit account

## 8. Deposit account number:

19-2550

DO NOT USE THIS SPACE

## 9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

James McGraw (Reg. No. 28168)

Name of Person Signing

Signature

December 15, 2000

Date



71493-879 /ccm

**ASSIGNMENT  
NORTEL NETWORKS LIMITED**

For value received, I (we) the undersigned, whose full post office address(es) is (are) adjacent my (our) name(s), hereby sell, assign and transfer to:

whose address is:

**NORTEL NETWORKS LIMITED**  
World Trade Center of Montreal  
380 St. Antoine Street West, 8th floor  
Montreal, Quebec, Canada H2Y 3Y4


its successors, assigns and legal representatives, the entire right, title and interest, including priority rights, for all countries, in and to certain inventions relating to:

**ENHANCED ARQ WITH OFDM MODULATION SYMBOLS**

set forth in an application for letters patent of the UNITED STATES OF AMERICA

executed concurrently herewith,

and all rights and privileges under any and all letters patent that may be granted for said inventions.

  
Witness' Signature      David G. Steer      Date: 13 Dec 2000  
David G. Steer      Assignor

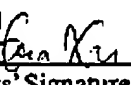
ANATOLE KOTOV  
Witness' Name (print)      #10, Cypress Court  
Nepean, Ontario, Canada K2H 8Z8

  
Witness' Signature      Shalini      Date: 13 Dec 2000  
Shalini S. Periyalwar      Assignor

ANATOLE KOTOV  
Witness' Name (print)      71 Russell Ave. E.  
Ottawa, Ontario, Canada K1N 7X2

  
Witness' Signature      Koon Hoo Teo      Date: 13 Dec 2000  
Koon Hoo Teo      Assignor

Blaise Gedges  
Witness' Name (print)      9 Northgate Street  
Nepean, Ontario, Canada K2G 6C7

  
Witness' Signature      Yoon Chae Cheong      Date: Dec. 8, 2000  
Yoon Chae Cheong      Assignor

HUA XU  
Witness' Name (print)      294 Knudson Dr.  
Kanata, Ontario, Canada K2K 2N8

  
Witness' Signature      Bassam M. Hashem      Date: Dec 13, 2000  
Bassam M. Hashem      Assignor

ANATOLI KOTOV  
Witness' Name (print)      10 - 6 Deerfield Dr.  
Nepean, Ontario, Canada K2G 3R6